



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,282	06/15/2001	Arnold James Julian IV	Mo-6395	7897

157 7590 01/24/2005

BAYER MATERIAL SCIENCE LLC
100 BAYER ROAD
PITTSBURGH, PA 15205

EXAMINER

PHAM, KHANH B

ART UNIT	PAPER NUMBER
----------	--------------

2167

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/882,282	JULIAN ET AL.	
	Examiner	Art Unit	
	Khanh B. Pham	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendment filed June 18, 2004 has been entered. Claims 1, 30, 32 have been amended. Claims 1-36 are pending in this Office Action.

Drawings

A **descriptive** textual label for **each numbered element** in these figures would be needed to fully and better understand these figures without substantial analysis of the detailed specification. Any structural detail that is of sufficient importance to be described should be shown in the drawing. Optionally, applicant may wish to include a table next to the present figure to fulfill this requirement. See 37 CFR 1.83. 37 CFR 1.84(n)(o) is recited below:

"(n) Symbols. Graphical drawing symbols may be used for conventional elements when appropriate. The elements for which such symbols and labeled representations are used must be adequately identified in the specification. Known devices should be illustrated by symbols which have a universally recognized conventional meaning and are generally accepted in the art. Other symbols which are not universally recognized may be used, subject to approval by the Office, if they are not likely to be confused with existing conventional symbols, and if they are readily identifiable.

(o) Legends. Suitable descriptive legends may be used, or may be required by the Examiner, where necessary for understanding of the drawing, subject to approval by the Office. They should contain as few words as possible."

The drawings are objected to because they fail to show necessary textual label of features or symbols in Fig. 2 as described in the specification. For example, place a label "disparate buyer data" with element 202 of Fig. 2 would give the viewer necessary detail to fully understand this element without substantial analysis and interpretation of the specification.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-36 are rejected** under 35 U.S.C. 102(e) as being anticipated by Davis et al. (US 6,578,013 B1), hereinafter "**Davis**".

As per claim 1, Davis teaches a computer-implemented method for maintaining a business relationship between a seller and a buyer (See Fig. 1), comprising the steps of:

- a) "providing a central database of information that contains disparate buyer data on a seller network" at Col. 7 lines 55-61, "said buyer data comprising data pertaining to contracts, contacts, sales, shipping, inventory, logistical tracking, invoices, and order history" at Col. 6 line 62 to Col. 7 line 47.
- b) "establishing a buyer access level function on a seller network, wherein the buyer level function allows the seller to provide a buyer with access to a set of buyer data and a set of buyer functions for structuring the set of buyer data" at Figs. 7, 8a-b ;

- c) “establishing a gatekeeper level function that allows the provision of a gatekeeper buyer contact point (Fig. 2, element 214) on a buyer network with the set of buyer data from the database and the set of buyer functions” at Col. 3 lines 45-57;
- d) “establishing a buyer subordinate level user function that allows the provision of a buyer subordinate level user contact point (Fig. 2, elements 202, 204, 206) that provides a buyer subordinate level user with access to selected buyer data from the set of buyer data and selected functions from the selected buyer functions at the buyer subordinate level user contact point” at Col. 10 lines 24-32 and Fig. 8a-b.

As per claim 2, Davis teaches the method of claim 1, wherein “the buyer is a plurality of buyers, each buyer having associated disparate buyer data” at Figs. 7, 8a-b.

As per claim 3, Davis teaches the method of claim 1, wherein “the database contains predetermined seller data and buyer-specific data” at Figs. 7, 8a-b and Col. 7 lines 55-61.

As per claim 4, Davis teaches the method of claim 3, wherein “the buyer-specific data is information relating to the relationship and transactional occurrences between the seller and the buyer thereby defining an event between the seller and the buyer” at Figs. 7, 8a-b.

Art Unit: 2167

As per claim 5, Davis teaches the method of claim 4, further comprising the steps of:

- e) "selecting an event to be defined; f) selecting corresponding selected buyer data for defining the event" at Col. 7 line 65 to Col. 8 line 17;
- g) "formatting the corresponding selected buyer data in a presentable report; h) presenting the report to the buyer at Col. 9 lines 7-19.

As per claim 6, Davis teaches the method of claim 5, wherein "the buyer selects the event to be defined" at Col. 8 lines 9-17.

As per claim 7, Davis teaches the method of claim 1, wherein, "in step b), the set of buyer data and the set of buyer functions for structuring the set of buyer data includes reports generatable by a relationship framework functionality; wherein, in step c), the set of buyer functions includes reports generatable by the relationship framework functionality; and wherein, in step d), the selected functions from the selected buyer functions includes reports generatable by the relationship framework functionality" at Col. 9 lines 10-17 and Figs. 7, 8a-b.

As per claim 8, Davis teaches the method of claim 1, wherein "the central database is resident on the seller network and individual data fields are resident on various discrete seller computing systems that are in a networked relationship, such that the central database has access to the data stored in and available from each discrete seller computing system" at Col. 7 lines 55-61.

As per claim 9, Davis teaches the method of claim 1, wherein “the central database includes relational tables resident on the seller network and associating each individual data field and each linked group of data fields” at Figs. 7, 8a-b.

As per claim 10, Davis teaches the method of claim 1, “further comprising the step of: e) associating the disparate buyer data with the respective buyer through a common buyer link field, such that buyer-specific data is created via the common buyer link field” at Figs. 7, 8a-b.

As per claim 11, Davis teaches the method of claim 10, wherein “the common buyer link field is a seller-assigned customer number” at Figs. 7, 8a-b.

As per claim 12, Davis teaches the method of claim 1, wherein “the central database is updated on a real-time basis” at Col. 6 lines 30-38.

As per claim 13, Davis teaches the method of claim 1, wherein “the central database is updated on a periodic basis” at Col. 9 lines 20-35.

As per claim 14, Davis teaches the method of claim 1, wherein “the buyer is a corporate entity and the buyer subordinate level user is an employee of the corporate entity” at Col. 7 lines 15-20.

As per claim 15, Davis teaches the method of claim 1, wherein “the gatekeeper level function defines a gatekeeper role on the buyer network” at Col. 3 lines 45-57.

As per claim 16, Davis teaches the method of claim 15, wherein “the gatekeeper is one of a seller system administrator, a buyer system administrator, and a buyer employee” at Col. 3 lines 45-57.

As per claim 17, teaches the method of claim 1, wherein “at least one of the selected buyer functions is the ability to define a customized format in which the subordinate level user would like the selected buyer data to be presented” at Col. 9 lines 7-35.

As per claim 18, Davis teaches the method of claim 1, wherein “the buyer subordinate level user contact point is a personal computing machine networked with other personal computing machines on the buyer network” at Col. 3 lines 37-44.

As per claim 19, Davis teaches the method of claim 1, further “comprising the steps of: e) creating a plurality of buyer subordinate level users; and f) associating at least two of the buyer subordinate level users together, thereby defining a group including the at least two buyer subordinate level users” at Figs. 7, 8a-b.

As per claim 20, Davis teaches the method of claim 19, wherein “the at least two buyer subordinate level users are associated by one of buyer subordinate level role, buyer subordinate level responsibility, buyer subordinate level location and buyer subordinate level title” at Figs. 7, 8a-b.

As per claim 21, Davis teaches the method of claim 1, “further comprising the step of: e) associating, by the buyer subordinate level user at the buyer subordinate

Art Unit: 2167

level user contact point, a subset of the selected buyer data using the selected buyer functions” at Col. 10 lines 24-32.

As per claim 22, Davis teaches the method of claim 21, “further comprising the steps of: f) contacting the central database on the seller network by the buyer subordinate level user at the buyer subordinate level user contact point; g) gathering, by the central database, the most current subset of the selected buyer data; h) routing the most current subset of the selected buyer data to the buyer subordinate level user at the buyer subordinate level user contact point” at Col. 9 lines 8-19.

As per claim 23, Davis teaches the method of claim 1, “further comprising the step of: e) modifying the selected buyer data for the buyer subordinate level user by the gatekeeper level function at the gatekeeper buyer contact point on the buyer network” at Col. 8 line 60 to Col. 9 line 35.

As per claim 24, Davis teaches the method of claim 1, “further comprising the step of: e) modifying the selected buyer functions for the buyer subordinate level user by the gatekeeper level function at the gatekeeper buyer contact point on the buyer network” at Col. 12 line 61 to Col. 13 line 22.

As per claim 25, Davis teaches the method of claim 1, “further comprising the step of: e) restricting, by the buyer subordinate level user at the buyer subordinate level user contact point, a subset of the selected buyer data using the selected buyer functions” at Col. 10 lines 24-32.

As per claim 26, Davis teaches the method of claim 1, further “comprising the step of: e) presenting the selected buyer data and selected buyer functions to the buyer subordinate level user at the buyer subordinate level user contact point” at Figs. 8a-b.

As per claim 27, Davis teaches the method of claim 1, wherein “steps b)-d) are completed in a discrete period of time” at Col. 12 lines 4-11.

As per claim 28, Davis teaches the method of claim 24, wherein “the discrete period of time is in the range of about 1 minute to about 10 minutes” at Col. 12 line 4 to Col. 13 line 22.

Claims 29-36 recite similar limitations as discussed above, and therefore are rejected by the same rational.

Response to Arguments

4. Applicant's arguments with respect to claims 1-36 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within


Art Unit: 2167

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (571) 272-4116. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Primary Examiner

Khanh B. Pham
Examiner
Art Unit 2167

Application/Control Number: 09/882,282

Page 11

Art Unit: 2167

January 12, 2005